

Biological Reviews for PTC

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Federal Communications Commission



Biological Review Considerations

- Threatened and Endangered Species
- Migratory Birds
- Bald Eagles and Golden Eagles

Threatened and Endangered Species

- Section 1.1307(a)(3) of the Commission's rules, 47 C.F.R. §1.1307(a)(3), requires applicants, licensees, & tower owners to consider the impact of proposed facilities under the Endangered Species Act (ESA), 16 U.S.C. s. 1531 et seq. **Applicants must determine whether any proposed facilities may affect listed, threatened or endangered species or designated critical habitats, or are likely to jeopardize the continued existence of any proposed threatened or endangered species or designated critical habitats. Applicants are also required to notify the FCC & file an environmental assessment if any of these conditions exist.**



Threatened and Endangered Species

- Plants and animals
- Determine if T&E species at your proposed facility site





Threatened and Endangered Species

- Information, Planning, and Conservation (IPaC)
 - USFWS online tool
 - Provides species lists, critical habitat designations
 - <http://ecos.fws.gov/ipac/>



Search

- IPaC Home Page
- Initial Project Scoping**
- Project Builder
- FAQs

Step 1

Location

Step 2

Activities

Step 3

Trust resources list

Step 4

Conservation measures

Define your project location

- Map (using toolbar buttons)
- State/county list

Note: After drawing or uploading your project location and clicking Continue, the map layers selected below are displayed on the read-only map on the Trust Resources list (Step 3).

Continue...

Map Help [More info](#)

Tip: While zooming in or out, or while drawing or editing a shape, you can cancel any time by pressing [Esc].

Zoom in by selecting the Zoom In tool, and then draw a rectangle on the map by clicking and dragging the mouse. Press Esc key or click another map button to leave zoom-in mode. [Show Me](#)

Zoom out by selecting the Zoom Out tool, and then draw a rectangle on the map by clicking and dragging the mouse. Press Esc key or click another map button to leave zoom-in mode. [Show Me](#)

Move the map up, down, or sideways by selecting the Pan tool, and then click and drag the map to

Map interface showing the United States with various tools and buttons. The map is centered on the central US. Tools include zoom in, zoom out, pan, and a toolbar with drawing tools. Buttons include 'Upload...', 'Change Basemap', 'Find a place...', and 'Ma'. A scale bar shows 1000 km and 500 mi. Coordinates are Latitude: 23.328717, Longitude: -53.162327, Scale: 1:36978595.

Continue...



U.S. Fish & Wildlife Service

IPaC - Information, Planning, and Conservation System

Environmental Conservation Online System

[IPaC Home Page](#)

Initial Project Scoping

[Project Builder](#)

[FAQs](#)

Step 1

Location

Step 2

Activities

Step 3

Trust resources list

Step 4

Conservation measures

Describe your project

Select your project type:

-
- Agriculture
- Animal Control
- Aquaculture
- Biological Control
- Bridge Construction / Maintenance
- Communications Tower**
- Customs and Border Protection
- Dam
- Deepwater Horizon Oil Spill Response
- Department of Energy Operations
- Development
- Dredge / Excavation
- Federal Grant / Loan Related
- Fill
- Fire
- Forestry
- Guidance
- Highway Safety and Maintenance
- Invasive Species Control
- Land - Acquisition
- Land - Clearing
- Land - Creation
- Land - Disposal / Transfer
- Land - Drainage
- Land - Easement / Right-Of-Way
- Landfill
- Land - Flooding
- Land - Management Plans
- Land - Preservation

Last updated: June 23, 2014

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Search

IPaC Home Page

Initial Project Scoping

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Natural Resources of Concern

Back Continue...

An online Endangered Species Act species list is available on this page for your project area, represented by the office(s) listed below.

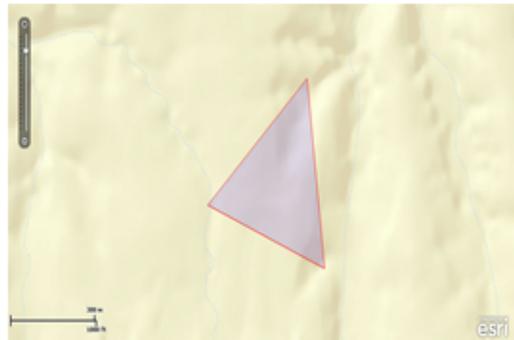
Save or Print the Preliminary Species list

Request an Official Species list

The Endangered Species Act species list below is for planning purposes only -- it is not an official species list. To request an official species list, click the Request an Official Species list link to the right and follow the instructions.

Kansas Ecological Services Field Office
2609 ANDERSON AVENUE
MANHATTAN, KS 66502
(785) 539-3474

Project Location Map:



Note: The map reflects the map layers selected on the Step 1 Location page. To change what appears on this map, return to the Location page and adjust the map layers.

Project Counties:

Wabaunsee, KS

Project type: Communications Tower

Endangered Species Act Species List (USFWS Endangered Species Program).

There are a total of 4 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fishes may appear on the species list because a project could cause downstream effects on the species. Critical habitats listed under the Has Critical Habitat column may or may not lie within your project area. See the Critical habitats within your project area section below for critical habitat that lies within your project area. Please contact the designated FWS office if you have questions.

Species that should be considered in an effects analysis for your project:

Table with 4 columns: Birds, Status, Has Critical Habitat, Contact

Endangered Species Act Species List ([USFWS Endangered Species Program](#)).

There are a total of 4 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fishes may appear on the species list because a project could cause downstream effects on the species. Critical habitats listed under the Has Critical Habitat column may or may not lie within your project area. See the [Critical habitats within your project area](#) section below for critical habitat that lies within your project area. Please contact the designated FWS office if you have questions.

Species that should be considered in an effects analysis for your project:

Birds	Status		Has Critical Habitat	Contact
Least tern (<i>Sterna antillarum</i>) Population: interior pop.	Endangered 	species info		Kansas Ecological Services Field Office
Piping Plover (<i>Charadrius melodus</i>) Population: except Great Lakes watershed	Threatened 	species info	Final designated critical habitat Final designated critical habitat	Kansas Ecological Services Field Office
Fishes				
Topeka shiner (<i>Notropis topeka (=tristis)</i>) Population: Entire	Endangered 	species info	Final designated critical habitat	Kansas Ecological Services Field Office
Mammals				
northern long-eared Bat (<i>Myotis septentrionalis</i>) Population:	Proposed Endangered 	species info		Kansas Ecological Services Field Office

[Don't see a species you expect to see?](#)

Critical habitats within your project area:

There are no critical habitats within your project area.

FWS National Wildlife Refuges ([USFWS National Wildlife Refuges Program](#)).

There are no National Wildlife Refuges found within the vicinity of your project.

FWS Migratory Birds ([USFWS Migratory Bird Program](#)).

Most species of birds, including eagles and other raptors, are protected under the Migratory Bird Treaty Act (16 U.S.C. 703). Bald eagles and golden eagles receive additional protection under the [Bald and Golden Eagle Protection Act](#) (16 U.S.C. 668). The Service's [Birds of Conservation Concern \(2008\)](#) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

Migratory bird information is not available for your project location.

NWI Wetlands ([USFWS National Wetlands Inventory](#)).

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate [U.S. Army Corps of Engineers District](#).

There are no wetlands found within the vicinity of your project.



Threatened and Endangered Species

- If listed or proposed threatened or endangered species or designated or proposed critical habitats *are present* in the county or counties where the “action area” is located and would not be affected by the proposed antenna structure:
 - Explain how the applicant determined that there would be no effect and provide the materials (with citations) that formed the basis for this determination (e.g., maps or lists from relevant FWS databases).



Threatened and Endangered Species

- If the proposed antenna structure may affect, but is not likely to adversely affect, listed or proposed threatened or endangered species or designated or proposed critical habitats in the action area:
 - Provide a letter from FWS concurring with the applicant's informal biological assessment. If any measures are proposed to mitigate any effects on species or habitats, the assessment must outline those measures with FWS concurrence.
 - e.g., Indiana bat

Threatened and Endangered Species

- If present and if the proposed antenna structure may affect, and is likely to adversely affect, listed or proposed threatened or endangered species or listed or proposed designated critical habitats in the action area
 - Prepare a formal biological assessment as outlined in 50 C.F.R. § 402.01 *et seq.* The applicant should provide the formal biological assessment to the FCC for formal consultation with the FWS.





Biological Review Considerations

- Threatened and Endangered Species
- **Migratory Birds**
- Bald Eagles and Golden Eagles

Estimated 4 million – 50 million bird fatalities at communications towers annually in U.S.

Almost all are violations of the Migratory Bird Treaty Act.



Detected Bird Mortality

- Most frequently detected
 - Songbirds
 - Vireos
 - Warblers
 - Thrushes
 - Sparrows
 - Shorebirds
 - Waterfowl



Variables Related to Bird Collisions

- Weather
- Tower support systems
- Tower heights
- Tower light systems
- Location in the landscape





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**For more information
contact:
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